

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,)	
)	
Plaintiff,)	ORDER
)	
vs.)	
)	Case No. 1:19-cr-241
Dawson D. Dubois,)	
)	
Defendant.)	

The court held a detention hearing for defendant on December 13, 2019. (Doc. No. 17). Finding that the United States had proven by clear and convincing evidence that no condition short of a placement in a residential facility would reasonably assure the safety other persons or the community, the court ordered defendant detained and placed defendant on the waiting list for a residential facility placement. (Doc. No. 18).

On March 26, 2020, defendant filed a Motion to Reconsider Order of Detention. (Doc. No. 32). He requests to be released to his mother's residence in Fort Totten pending trial. He asserts there has been a material change in circumstances, to wit: the alleged victim has recently moved from his mother's residence in Fort Totten to Parshall, North Dakota. (Id.).

On March 31, 2020, the United States filed a response in opposition to defendant's motion. (Doc. No. 33). It asserts that defendant remains a danger to the community despite the relocation of his alleged victim and should remain in custody. The court agrees.

The victim's change of residence is only one of many factors the court must consider. Having considered the totality of the circumstances, the court remains steadfast in its belief that the only available condition that would ameliorate the risks posed by defendant is a placement in

a residential facility. There is currently no space available for defendant at any such facility. Defendant's motion (Doc. No. 32) is therefore **DENIED**.

IT IS SO ORDERED.

Dated this 1st day of April, 2020.

/s/ Clare R. Hochhalter

Clare R. Hochhalter, Magistrate Judge
United States District Court